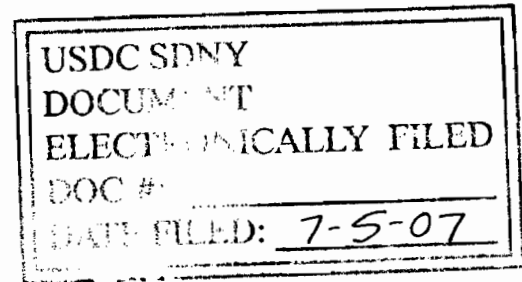


UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----	X	
COGENT CAPITAL FINANCIAL LLC and	:	
COGENT CAPITAL INVESTMENTS LLC,	:	
	:	07 Civ. 2701 (JSR)
Plaintiffs,	:	
	:	
-v-	:	
	:	
INNOFONE.COM, INCORPORATED,	:	
	:	
Defendant.	:	
-----	X	
INNOFONE.COM, INCORPORATED, a Nevada	:	
Corporation,	:	
	:	07 Civ. 3966 (JSR)
Plaintiff,	:	
	:	<u>ORDER</u>
-v-	:	
	:	
COGENT CAPITAL FINANCIAL, LLC, a	:	
Delaware Limited Liability Company,	:	
COGENT CAPITAL INVESTMENTS, LLC, a	:	
Delaware Limited Liability Company,	:	
COGENT CAPITAL GROUP, LLC, a Delaware	:	
Limited Liability Company, GREGORY L.	:	
KOFFORD, an individual, and MARK W.	:	
HOLDEN, an individual, INVESTORS BANK	:	
& TRUST COMPANY, a Massachusetts	:	
Trust Company,	:	
	:	
Defendants.	:	
-----	X	
JED S. RAKOFF, U.S.D.J.		



By motions dated June 4, 2007, defendants in case number 07 Civ. 3966 moved to dismiss the Complaint in that action and plaintiff in 07 Civ. 3966 moved for partial summary judgment in that action. Defendants' motion to dismiss the Complaint in 07 Civ. 3966 is hereby granted, and, as a result, plaintiff's motion for partial summary judgment is hereby denied as moot. An opinion explaining the reasons for these determinations will issue in due course, at which time the Clerk will be directed to enter final judgment in case number

07 Civ. 3966. In the meantime, the Clerk should close documents 5, 6, and 10 in case number 07 Civ. 3966.

Separately, the Court hereby orders counsel for each of the parties in 07 Civ. 2701 to jointly telephone Chambers by no later than 5 p.m. on July 9, 2007, to work out the remaining schedule in that case.

SO ORDERED.

  
JED S. RAKOFF, U.S.D.J.

Dated: New York, New York  
July 2, 2007